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MINISTRY OF COMMERCE AND INDUSTRY

NOTIFICATION

New Delhi, the 8th May 1956

S.R.O. 1077.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby directs that the following further amendments shall be made to the Cotton Textiles (Control) Order, 1948, namely:—

In the said Order—

I. In clause 3, after sub clause (h), the following shall be inserted, namely:—

“(1) “powerloom” means a loom which is worked by power as defined in clause (g) of section 2 of the Factories Act, 1948 (LXIII of 1948)”;

II. in clause 12, for sub-clauses (3), (3A), and (4), the following shall be substituted, namely:—

- “(3) Every producer, not being a producer having a spinning plant, shall, on or before 20th June, 1956, apply to the Textile Commissioner for the grant of a registration certificate in respect of each powerloom in his possession in such form and manner as may be prescribed by the Textile Commissioner.
- (4) On receipt of an application for a registration certificate in accordance with sub-clause (3), the Textile Commissioner shall, after making such inquiry as he thinks fit register the powerloom and issue to the applicant a registration certificate in such form and subject to such conditions as may be prescribed by the Textile Commissioner.
- (5) If the Textile Commissioner is satisfied, either on a reference made to him in this behalf or otherwise, that any person to whom a registration certificate has been granted under this Order supplied incorrect information for the purpose of obtaining such certificate, he may, without prejudice to any other action which may be taken against such person, revoke the registration certificate, and on such revocation, the powerloom to which such certificate relates shall cease to work.
- (6) No person shall acquire or instal any powerloom except with the permission in writing of the Textile Commissioner.
- (7) In granting or refusing permission under sub-clause (6) the Textile Commissioner shall have regard to the following matters, namely:—
- (a) the number of powerlooms already installed or working in the local area;
- (b) whether the powerlooms proposed to be acquired or installed are to be utilised for weaving cloth;

- (c) the availability of yarn;
- (d) the demand for cloth;
- (e) the necessity for training persons or rehabilitating displaced persons in the weaving industry;"

III. clause 31, shall be renumbered as sub-clause (1), of clause 31, and after sub-clause (1), as so renumbered, the following shall be inserted, namely:—

- "(2) Every person who is required to give any information or produce any books or other documents under sub-clause (1), shall comply with such requisition."

[No. F.7/2/55/CTC.]

ORDER

New Delhi, the 8th May 1956

S.R.O. 1077A.—In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely:—

1. **Short title, extent and commencement.**—(i) This Order may be called the Cotton Textiles (Production by Handloom) Control Order, 1956.

(ii) It extends to the whole of India except the State of Jammu and Kashmir.

(iii) It shall come into force at once.

2. **Definitions.**—In this Order, unless there is anything repugnant in the subject or context:—

(a) "Form" means a form appended to this Order;

(b) "handloom" means a loom which is actually in use or is capable of being used for the manufacture of Cotton Textiles and which is not worked by power, as defined in clause (g) of section 2 of the Factories Act, 1948 (LXIII of 1948), and includes a semi-automatic handloom;

(c) "Textile Commissioner" shall have the same meaning as assigned to it in the Cotton Textiles (Control) Order, 1948;

(d) "registering authority" means the Textile Commissioner, Bombay, and includes any officer authorised in writing in this behalf by the Textile Commissioner to perform all or any of the functions conferred on the registering authority by this Order.

3. **Registration Certificate.**—No person shall after the commencement of this Order, use or have in his possession any handloom unless it is registered and the registration certificate issued in respect thereof is in force.

4. **Application for Registration Certificate.**—(1) Every person in possession of a handloom shall, within thirty days from the commencement of this Order, or such further period, not exceeding two months, as the registering authority may grant in any case, apply to the registering authority for the grant of a registration certificate in respect of such handloom.

(2) Every person who after such commencement comes into possession of a handloom shall, within 30 days from the date of such coming into possession apply to the registering authority for the grant of a registration certificate in respect of such handloom.

(3) An application for the grant of a registration certificate under this clause shall be made in Form A.

(4) No fee shall be payable in respect of an application for the grant of a registration certificate.

5. **Form of Certificate.**—(1) On receipt of an application for the grant of a registration certificate, the registering authority shall, after making such inquiry as it thinks fit, register the handloom and grant to the applicant a registration certificate in Form B; and every such registration certificate shall show the distinguishing number assigned to every handloom covered thereby.

(2) Every person to whom a registration certificate has been granted shall take steps to mark on such handloom the distinguishing number assigned to it under sub-clause (1).

6. Renewal of Certificate.—(1) A registration certificate shall be valid for a period of one year from the date of issue, but may, on an application made in Form C, be renewed from time to time for a period not exceeding one year at a time.

(2) Unless sufficient reasons are shown to the satisfaction of the registering authority, every application for renewal under sub-clause (1) shall be made within a period of not less than thirty days before the date of expiry of the registration certificate.

7. Revocation of Certificate.—(1) If the registering authority is satisfied, either on a reference made to it in this behalf or otherwise, that any person to whom a registration certificate has been granted supplied incorrect information for the purposes of obtaining such certificate, it may, without prejudice to any other action which it may take against such person, revoke such registration certificate.

8. Power to enter etc.—Any officer authorised in this behalf by the registering authority in writing may, with a view to securing compliance with this Order:—

- (a) require any person in possession of a handloom to give any information in respect of such handloom;
- (b) inspect or cause to be inspected any books; accounts or other documents in respect of a handloom belonging to or under the control of the person in possession of such handloom;
- (c) enter and search any premises at any time between sunrise and sunset and seize any handloom in respect of which he has reason to believe that a contravention of this Order has been committed.

9. Requisition to be complied with.—Every person required to furnish any information under clause 8 shall be bound to comply with such requisition within such time as may be specified in the requisition.

10. Repeal and Saving.—Any Order made or deemed to be made under the Essential Commodities Act 1955, and in force in any State shall in so far as such Order relates to any of the matters provided for in this Order, stand repealed, except as respects things done or omitted to be done.

FORM 'A'

[See clause 4 (3)]

Form of application for registration of a handloom

1. Name and full address of the applicant.
2. Age.
3. Exact location of the handloom.
4. Total No. of handlooms in the possession of the applicant.
5. No. of handlooms which are actually being worked on the date of the application.
6. Description of the loom. Whether the loom is:—
 - (i) Throw shuttle pit loom.
 - (ii) Fly shuttle pit loom.
 - (iii) Fly shuttle frame loom.
 - (iv) Hattersly loom.
 - (v) Semi-automatic loom.
 - (vi) of any other kind, if so, of what description.

Declaration

I hereby declare that the information furnished by me in this application is true to my knowledge and belief.

(Signature of the applicant)

Date:

FORM 'B'

[See clause 5(1)].

Registration Certificate

No. _____

1. Name and address of the person in possession.
2. Age.
3. Exact location of the handloom.
4. No. of handlooms.
5. Duration of the Certificate.

NOTE.—The number stated above should be marked on each handloom by the holder of this certificate.

(Signature of the Registering Authority).

Place _____

Date _____

Renewal Endorsement

| Date of Renewal | Date of expiry. | Signature of the Registering Authority | Remarks |
|--------------------|--------------------|---|---------|
| 1 | 2 | 3 | 4 |

FORM 'C'

[See clause 6(1)].

Form of application for renewal of Registration Certificate

1. Name and full address of the person in possession of the handloom.
2. (i) The No. of the Registration Certificate.
(ii) Total number of registered handlooms.
3. The exact location of the handloom.

NOTE.—The answers to the above queries should be given wherever they are applicable to the applicant. 'NIL' answers should be given to the query which is not applicable to the applicant.

Declaration

I hereby declare that the information furnished by me in this application is true to my knowledge and belief.

(Signature of the applicant).

Date:

[No. F.48/55/54/CTC.]

S. A. TECKCHANDANI, Dy. Secy.